

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

1-22. (Canceled)

23. (New) A lithium battery comprising a positive electrode, a negative electrode comprising a carbonaceous material of graphite crystal structure, and a non-aqueous electrolytic solution, wherein the non-aqueous electrolytic solution comprises an electrolyte and a non-aqueous solvent comprising at least one compound selected from the group consisting of a cyclic carbonate, a cyclic ester, a linear carbonate, and an ether, the non-aqueous solvent further containing a dinitrile compound having a linear or branched alkylene chain of 1 to 12 carbon atoms in an amount of 0.001 to 1.0 wt.%.

24. (New) The lithium battery of claim 23, wherein the battery is a lithium secondary battery.

25. (New) The lithium battery of claim 23, wherein the dinitrile compound is selected from the group consisting of succinonitrile, glutaronitrile, adiponitrile, 1,5-dicyanopentane, 1,6-dicyanohexane, 1,7-dicyanoheptane, 1,8-dicyanooctane, 1,9-dicyanononane, 1,10-dicyanodecane, 1,12-dicyanododecane, tetramethylsuccinonitrile, 2-methylglutaronitrile, 2,4-dimethylglutaronitrile, 2,2,4,4-tetramethylglutaronitrile, 1,4-dicyanopentane, 2,5-dimethyl-2,5-hexanedicarbonitrile, 2,6-dicyanoheptane, 2,7-dicyanooctane, 2,8-dicyanononane, and 1,6-dicyanodecane.

26. (New) The lithium battery of claim 23, wherein the dinitrile compound has a linear alkylene chain of 1 to 12 carbon atoms.

27. (New) The lithium battery of claim 26, wherein the dinitrile compound is glutaronitrile or adiponitrile.

28. (New) The lithium battery of claim 23, wherein the non-aqueous solvent comprises a cyclic carbonate and a linear carbonate in a volume ratio of 1:9 to 9:1.

29. (New) The lithium battery of claim 23, wherein the non-aqueous solvent comprises a cyclic carbonate and an ether in a volume ratio of 1:9 to 9:1.

30. (New) The lithium battery of claim 23, wherein the non-aqueous solvent comprises a cyclic carbonate and a cyclic ester in a volume ratio of 1:99 to 99:1.

31. (New) The lithium battery of claim 23, wherein the carbonaceous material has a lattice distance of lattice surface (002) of 0.34 nanometer or less.